

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mireille MAUBRU

Application No.: To be assigned

Filed: September 18, 2000

For: DIRECT CAPILLARY DYEING
COMPOSITION COMPRISING A
CROSS-LINKED POLYMER WITH
ACRYLIC AND ALKYL C₁₀-C₃₀
ACRYLATE UNITS

Prior Application

Group Art Unit: 1751

Examiner: C. Liott

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed concurrently with the above-referenced application.

The listed documents were either cited by the Examiner in parent U.S. Patent Application No. 09/068,964, or were previously submitted with the Information Disclosure Statement filed May 20, 1998, in the parent application. Applicant is relying on this prior application for benefit of an earlier filing date under 35 U.S.C. § 120. Accordingly, it is not required that copies of the cited documents be provided. 37 C.F.R. § 1.98(d).



The following is a statement regarding the non-English language documents.

1. **FR 2 234 277** - This document is believed to be a foreign language counterpart of U.S. Patent No. 3,929,404.
2. **FR 2 189 380** - This document is believed to be a foreign language counterpart of U.S. Patent No. 4,260,749.
3. **FR 2 382 232** - This document is believed to be a foreign language counterpart of U.S. Patent No. 4,213,960.
4. **DE 3 044 754** - This document is believed to be a foreign language counterpart of U.S. Patent No. 4,402,977.
5. **EP 0 445 714** - This document is believed to be a foreign language counterpart of U.S. Patent No. 5,030,443.
6. **DE 9 413 897** - This document relates to a composition for dyeing and tinting human hair containing at least one direct dye in an acidic medium characterized in that there is 0.1 to 5% by weight, alone or in a mixture, of at least one C₈-C₁₈ acylaminocarboxylic amino acid.

Additionally, Applicant would like to bring to the Examiner's attention the following application, filed the same day as the prior application, which applications relates to similar subject matter:

**Title: DIRECT CAPILLARY DYEING COMPOSITION COMPRISING A
CROSS-LINKED POLYMER WITH ACRYLIC AND/OR ACRYLATE
UNITS AND WITH ACRYLAMIDE UNITS**

By: Mireille MAUBRU

**Application No.: 09/068,963
Filed: May 20, 1998
Attorney Docket No.: 05725.0291-00000**

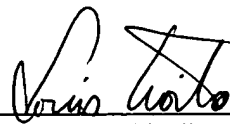
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the present application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Louis M. Troilo
Reg. No. 45,284

Date: September 18, 2000

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202-408-4000

OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket No. 5725.0290-01	Prior Application No. 09/068,964
Applicant Mireille MAUBRU	
Filing Date September 18, 2000	Prior Group Art Unit 1751

J0913 U.S. PTO
 09/663942
 09/18/00

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
<i>Am</i>	✓	5,989,295	11/23/99	De Le Mettrie et al.	8	406	9.5.1997
<i>Am</i>	✓	5,685,882	11/11/97	Samain et al.	8	408	7.21.1985
<i>Am</i>	✓	5,102,655	04/07/92	Yoshihara et al.	424	62	12.22.1990
<i>Am</i>	✓	5,030,443	07/09/91	Varco et al.	424	47	5.9.1990
<i>Am</i>	✓	4,509,949	04/09/85	Huang et al.	586	538	6.13.1983
<i>Am</i>	✓	4,402,977	09/06/83	Grollier et al.	424	70	11.26.1980
<i>Am</i>	✓	4,260,749	04/07/81	Bugaut et al.	544	166	5.9.1980
<i>Am</i>	✓	4,213,960	07/22/80	Grollier et al.	424	47	03.1.1978
<i>Am</i>	✓	4,204,059	05/20/80	Bugaut et al.	544	166	12.21.1977
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation Yes or No
<i>Am</i>	✓	JP 3-220,114	09/27/91	Japan			
<i>Am</i>	✓	JP 1-213,221	08/28/89	Japan			
<i>Am</i>	✓	JP 63-218,614	09/12/88	Japan			
<i>Am</i>	✓	FR 2 234 277	01/17/75	France			
<i>Am</i>	✓	FR 2 189 380	01/25/74	France			
<i>Am</i>	✓	FR 2 382 232	09/29/78	France			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
<i>Am</i>	English language translation of JP 63-218,614, pages 1-17, September, 1988.						
<i>Am</i>	English language translation of JP 1-213,221, pages 1-18, August, 1989.						
Examiner <i>Amey R. Liu</i>				Date Considered <i>9/19/01</i>			
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

OMB No. 0651-0011

INFORMATION DISCLOSURE CITATION

Atty. Docket No. 5725.0290-01	Prior Application No. 09/068,964					
Applicant Mirelle MAUBRU						
Filing Date September 18, 2000	Prior Group Art Unit 1751					
U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
Al	✓ 4,145,299	3/20/79	Ford, Jr. et al.	252	62.1	04.3.1978
Al	✓ 4,112,155	09/05/78	Carel et al.	427	439	10.27.1977
Al	✓ 4,093,806	06/06/78	Kalopissis et al.	544	165	5.20.1977
Al	✓ 4,084,052	04/11/78	Bugaut et al.	544	165	01.25.1977
Al	4,046,786	09/06/77	Kalopissis et al.	8	10.1	6.24.1974
Al	✓ 4,023,926	05/17/77	Bugaut et al.	8	10	07.31.1975
Al	✓ 3,930,865	01/06/76	Faust et al.	96	86	12.18.1974
Al	✓ 3,929,404	12/30/75	Kalopissis et al.	8	10.1	6.24.1974
Al	✓ 3,919,265	11/11/75	Bugaut et al.	260	396	6.18.1973
Al	✓ 3,915,921	10/28/75	Schatzler et al.	260	17.4	10.28.1975
FOREIGN PATENT DOCUMENTS						
	Document Number	Date	Country	Class	Sub Class	Translation Yes or N
Al	EP 0 503 507	09/16/92	Europe			
Al	✓ DE 3 044 754	06/19/81	Germany			
Al	✓ DE 9 413 897	02/01/96	Germany			
Al	EP 0 445 714	09/11/91	Europe			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
Examiner <i>Aug K. Pin</i>			Date Considered 9/19/01			
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						
Form PTO 1449 Patent and Trademark Office - U.S. Department of Commerce						